

Appl. No. 10/768,068
Amendment dated: June 22, 2007
Reply to OA of: March 22, 2007

REMARKS

This is in response to the Official Action of March 22, 2007 in connection with the above-identified application. Applicants have amended the claims of the instant application in order to more precisely define the scope of the present invention, taking into consideration the outstanding Official Action. Claims 1-2, 4-6, 10-16 and 19-20 are amended. Claims 3, 7-9, 17-18 are canceled. Claims 1 and 11 are independent. Claims 1-2, 4-6, 10-16 and 19-20 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Specifically, Applicants have amended claim 1 to recite that the workflow defining system comprises a state setting module, an instruction generating module and a path generating module. The state setting module at least sets a request form generating state, a debug department manager state, and a debug engineer state. The instruction generating module generates a sending instruction for the request form generating state, a receiving instruction and a returning instruction for the debug department manager state, and a debug completing instruction for the debug engineer state, the debug department manager state, and the debug engineer state, respectively. The path generating module generates a first path, a second path, a third path, and a fourth path according to the sending instruction, the receiving instruction, the returning instruction, and the debug completing instruction, wherein the first path points from the sending instruction to the debug department manager state, the second path points from the receiving instruction to the debug engineer state, the third path points from the returning instruction to the request form generating state and the fourth path points from the debug completing instruction. The request form generating state having the sending instruction, the debug department manager state having the receiving instruction and the returning instruction, and the debug engineer state having the debug completing instruction

are shown on a first terminal device, a second terminal device, and a third terminal device, respectively, so that the sending instruction, the receiving instruction, the returning instruction or the debug completing instruction is selected to be executed. Applicants respectfully submit that these amendments are clearly supported by the Application as originally filed, including for example Figure 5, which shows that each state has at least one instruction and each instruction points to another state.

Applicants have also amended claims 2, 4-6, 10 to more clearly describe various features of the invention. Applicants respectfully submit that these amendments are clearly supported by the Application as originally filed, including, e.g., Figures 5 and 6.

Specifically, Applicants have also amended claim 11 to recite that the workflow managing system comprises at least three terminal states, at least fourth instructions, and at least a fourth path. The three terminal states comprise a request form generating state, a debug department manager state, and a debug engineer state. The four instructions comprise a sending instruction, a receiving instruction and a returning instruction, and a debug completing instruction. The sending instruction, the receiving instruction and the returning instruction, and the debug completing instruction are set according to the request form generating state, the debug department manager state, and the debug engineer state, respectively. The four paths comprise a first path, a second path, a third path, and a fourth path. The first path, the second path, the third path and the fourth path are generated according to the sending instruction, the receiving instruction, the returning instruction, and the debug completing instruction, respectively, and the first path points from the sending instruction to the debug department manager state, the second path points from the receiving instruction to the debug engineer state, the third path points from the returning instruction to the request form generating state and the fourth path point from debug completing instruction. The request form generating state having the sending instruction, the debug department manager state having the receiving instruction and the returning instruction, and the debug

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engineer state having the debug completing instruction are shown on a first terminal device, a second terminal device, and a third terminal device, respectively, so that the sending instruction, the receiving instruction, the returning instruction or the debug completing instruction is selected to be executed. Applicants respectfully submit that these amendments are clearly supported by the Application as originally filed, including Figure 5, which shows each state has at least one instruction and each instruction points to another state.

Applicants have also amended claims 12-16 and 19-20. Applicants respectfully submit that these amendments are clearly supported by the Application as originally file, including, e.g., Figures 5 and 6.

Accordingly, Applicants respectfully submit that all claims now pending in the instant application are in full compliance with the requirements of 35 U.S.C. §112.

Section 101 Rejection

The rejection of claims 1-20 under 35 U.S.C. §101 has been carefully considered but is most respectfully traversed on the grounds that the claimed invention involves display of certain workflow managing states on a "first terminal device, a second terminal device, and a third terminal device," so that appropriate instructions can be selected by a programmer. Display on three different terminals constitutes sufficient hardware to enable functionality, thereby overcoming the rejection under Section 101.

Double Patenting

The Examiner indicates that claims 1-20 of the present application conflict with claims 1-20 of Application No. 10/982,932. This rejection is respectfully traversed.

Concerning the possible conflict, Applicants submit that there is no such conflict in the present claims. Independent claims 1-20 of Application No. 10/982,932 recite a workflow managing method comprising setting a plurality of

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terminal states, generating a plurality of instructions for each terminal state, and generating a plurality of paths pointing from one of the instructions to one of the terminal states. This feature is not found in the claims of the present application, where the request form generating state having the sending instruction, the debug department manager state having the receiving instruction and the returning instruction, and the debug engineer state having the debug completing instruction are shown on a first terminal device, a second terminal device, and a third terminal device, respectively, so that the sending instruction, the receiving instruction, the returning instruction or the debug completing instruction is selected to be executed. Accordingly, there is a clear line demarcation between the claims of the two applications.

Rejection Based on Prior Art

The rejection of claims 1-20 under 35 U.S.C. §102(b) as being anticipated by Smirnov et al. (US Patent No. 6,279,009) has been carefully considered but is most respectfully traversed on the grounds that the Smirnov patent fails to disclose or suggest the positively recited feature of each different state having different instruction is shown in the different terminal device provided for different user to select instruction to execute.

As depicted in, e.g., Figure 5 and paragraph [0036] of the instant application, the debug request form generating department inputs the bug-related data into the request form generating state using the first terminal device, and chooses to execute the sending instruction shown on the first terminal device to forwarded the bug-related data to the debug department manager state of the second terminal device via the first path. Furthermore, as depicted in, e.g., paragraph [0037] of the instant application, the manager of the debug department can choose to execute the receiving instruction or the returning instruction at the debug department manager state shown on the second terminal. Finally, as depicted in, e.g., paragraph [0038] of the instant application, the debug engineer can use the third terminal device to

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choose to execute the debug completing instruction at the debug engineer state. This feature of the instant invention results in process and data involving different workers at different department can be controlled effectively, and all data can be integrated without data loss.

In contrast, as is clearly shown in Figure 6, the Smirnov et al reference discloses a workflow engine that merely provides workflows, such that the workflows can be modified when the workflow engine receives update information. There is no suggestion in the Smirnov patent of the claimed display on different terminals of a request form generating state, debug department manager state, or debug engineer state, as claimed, so that an appropriate sending, receiving, returning or debug completing instruction can be selected for execution, as claimed. This is due to the fact that Smirnov et al. just discloses how to generate workflows and does not disclose either the claimed generating, manager, and completing states, much less the claimed display (or paths generated by the path generating module).

Applicants wish to direct the Examiner's attention to MPEP § 2131 which states that to anticipate a claim, the reference must teach every element of the claim.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed Cir. 1989). The elements must be arranged as required by the claim, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed.Cir. 1990).

Accordingly, because Smirnov et al. fails to disclose all features of claims 1 and 11, Applicants respectfully submit that the reference is incapable of properly establishing a §102 rejection according to the guidelines set forth in MPEP §2131,

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and it is therefore respectfully requested that the anticipation rejection of claim 1 over Smirnov et al. be withdrawn.

Furthermore, because claims 2, 4-6, 10 depend from claim 1 and claims 12-16 and 19-20 depend from claim 11, Applicants respectfully submit that these claims are patentable over the Smirnov et al reference for the same reasons discussed above. Accordingly, it is respectfully request that the anticipation rejection of claims 2, 4-6, 10 and 12-16 and 19-20 over Smirnov et al. also be withdrawn.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC

A handwritten signature in black ink, appearing to be 'B. Urcia', with a long horizontal flourish extending to the right.

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